

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CRIMINAL NO. 5:07-CR-125-FL-1
CIVIL NO. 5:09-CV-565-FL

DARRENCE TERMAINE COVINGTON)
Petitioner,)
)
v.)
)
UNITED STATES OF AMERICA,)
Respondent .)
)

ORDER

The petitioner filed a motion to vacate, set aside, or correct the sentence pursuant to 28 U.S.C. § 2255. This petitioner's form was received on February 25, 2009. The petitioner's filing did not substantially follow the form appended to the Rules Governing § 2255 Proceedings and therefore was not in compliance with Rule 2(c) of the Rules Governing § 2255 Proceedings and Local Civil Rule 81.2 of this court. An order filed on September 19, 2012 directed the petitioner to return the appropriate completed form within 15 days from the filing of the order. The order advised that failure to return the appropriate form may result in the dismissal of this action or the striking of the motion.

Petitioner is DIRECTED to show cause why this action should not be dismissed for failure to prosecute. Petitioner's response is due within twenty -one (21) days from the filing of this order. Failure to do so may result in the dismissal of this § 2255 action.

The clerk is directed to resend a copy of the appropriate form to petitioner. Petitioner should send the original of the corrected § 2255 form to:

Clerk of Court
United States District Court, E.D.N.C.
ATTN: Prisoner Litigation Division
P.O. Box 25670
Raleigh, NC 27611

SO ORDERED, this 22nd day of October 2012.



LOUISE W. FLANAGAN
UNITED STATES DISTRICT JUDGE